IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.247 OF 2007

In

APPEAL FROM ORDER NO.105 OF 2006

M/s.Hydrochem Engineers (Bombay) Private Limited & Anr. : Applicants

V/s.

Mr.Kiran Prabhakar Kumbhar & Anr. : Respondents

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Mr.Suresh Dubey i/b. J.S.Kini for the applicants.

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CORAM : A.M. KHANWILKAR, J.

DATE : MARCH 6, 2007.

P.C.

1. This application is opposed by the respondents. The explanation offered in the application, in my opinion, cannot be accepted as sufficient cause. However, the litigant should not suffer for the mistake of the Advocate.

2. The application is allowed in terms of prayer clause (a) on condition that the Advocate on record shall personally pay costs to the respondents quantified at Rs.2,500/- to be paid within one week from today, failing which the earlier order shall stand revived and papers will have to be consigned to the record.

A.M. KHANWILKAR, J.